

Second Regular Session of the 123rd General Assembly (2024)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2023 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1101

AN ACT to amend the Indiana Code concerning courts and court officers.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 33-23-16-9.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: **Sec. 9.5. As used in this chapter, "safe baby court" means a problem solving court focused on addressing the needs of families who have a child in need of services who is three (3) years of age or younger by surrounding the family with support services to:**

(1) reduce:

(A) time to permanency;

(B) incidences of repeat maltreatment; and

(C) the long term and short term effects of traumatic experiences occurring on a child's brain development;

(2) promote:

(A) public safety through the reductions described in subdivision (1); and

(B) effective interaction and the use of resources among both public and private stakeholders; and

(3) increase the personal, familial, and societal accountability of families.

SECTION 2. IC 33-23-16-11, AS AMENDED BY P.L.9-2022, SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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JULY 1, 2024]: Sec. 11. A city court or county court may establish a problem solving court. A problem solving court established under this section may be:

- (1) a drug court;
- (2) a mental health court;
- (3) a family dependency drug court;
- (4) a community court;
- (5) a reentry court;
- (6) a domestic violence court;
- (7) a veterans' court; or

(8) a safe baby court; or

~~(8)~~ **(9)** any other court certified as a problem solving court by the office of judicial administration under section 17 of this chapter.

SECTION 3. IC 33-23-16-13, AS AMENDED BY P.L.95-2013, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 13. An individual is eligible to participate in a problem solving court program only if:

- (1) the individual meets all of the eligibility criteria established by the board under section 12 of this chapter;
- (2) the judge of the problem solving court approves the admission of the individual to the problem solving court program; and
- (3) the individual is referred to the problem solving court as a result of at least one (1) of the following:

(A) A condition of a pretrial diversion program authorized by statute or authorized by the judge of the problem solving court and the prosecuting attorney.

(B) The procedure described in section 14 of this chapter.

(C) The procedure described in section 15 of this chapter.

(D) A condition of probation.

(E) A condition of participation in a community corrections program under IC 11-12-1.

(F) A condition of participation in a forensic diversion program under IC 11-12-3.7.

(G) A condition of a community transition program under IC 11-10-11.5.

(H) A condition of parole.

(I) An order in a dispositional decree under IC 31-34-20 to participate in a family dependency drug court if the individual is a parent, guardian, or another household member of a child adjudicated a child in need of services.

(J) A condition of an informal adjustment program under IC 31-37-9.



(K) Involvement in:

(i) a child in need of services proceeding;

~~(i)~~ **(ii)** a child support proceeding;

~~(ii)~~ **(iii)** a mental health commitment; or

~~(iii)~~ **(iv)** a civil protection proceeding.

(L) A condition of an informal adjustment program under IC 31-34-8.

(M) A condition of a misdemeanor sentence.

(N) A condition of a program authorized by the:

(i) judge of a problem solving court; and

(ii) department of correction or the county sheriff.



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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